

Remarks

Record of Substance of Interview Conducted April 14, 2010

Applicants thank Examiner Chih Ching Chow for the courteous Telephonic Interview extended to Applicants' representative, Robert O. Enyard, on April 14, 2010. During the interview, Examiner Chow was uncertain that claim 1 as amended in the Response dated February 23, 2010 distinctly claimed and particular pointed out the subject matter being claimed and, thus was not certain that independent claim 1 was in compliance with 35 U.S.C. § 112.

For example, Examiner Chow did not think that the portion of claim 1 that read "receiving input selecting the second software component" was accurate. In particular, the Examiner did not think the terms "selecting" or "loading" were accurate. Regarding support for this claim language, Applicant pointed out that the detailed description of the present application provides:

"Step 500 may be initiated by user selection of a software component using the wireless device 120, or in response to an action taken by the user (e.g., a default operation performed upon device power up)." (See application paragraph 59.)

"At some point during operation of the first software component, an application (e.g., the first software component itself) on the wireless device 120 may initiate a call to load a second software component. As an example, a user viewing an address in a 411 plugin/channel (a first software component) may select "MapIt" for a mapping/driving direction plugin/channel (a second software component) as previously described in reference to FIG. 4H. In step 530, the second software component is then loaded in response to the call initiated in step 520." (See application paragraph 61.)

"In screen 1020, the user initiates an action requiring a mapping/driving direction channel/plugin. The 411 channel/plugin then makes a call to the mapping/driving direction channel/plugin, which is launched/activated." (See application paragraph 61.)

MPEP 2111.01 requires the Examiner to interpret the claims as broadly as is reasonable and consistent with the specification. This means that the words of the claim must be given their plain meaning unless the plain meaning is inconsistent with the specification. "Plain meaning" refers to the ordinary and customary meaning given to the term by those of ordinary skill in the art. (See MPEP 2111.01.) "[T]he ordinary and customary meaning of a claim term is the meaning that the term would have to a person of ordinary skill in the art in question at the time of the invention, i.e., as of the effective filing date of the patent application." (See Id.) Further, an

Applicant may give a term a meaning in the specification. (See Id.) Thus, the Examiner can either give a claim term the meaning that the term would have to a person of ordinary skill in the art or the plain and ordinary meaning with reference to the specification.

Although Applicants believe the terms “selecting” and “loading” would be understood by a person of ordinary skill in the art or by the plain and ordinary meaning with reference to the specification, Applicants have amended claim 1 as suggested by the Examiner. In particular, applicants have replaced the term “selecting” with “designating” and replaced the term “loading” with “activating.”

During the Interview the Examiner acknowledged the Lowery did not teach the subject matter of claims 8, 10, and 15 and suggested incorporating the limitations from claims 8, 10, and 15 into independent claim 1. Applicants have amended claim 1 as discussed by Examiner Chow and Applicants representative during the interview.

Applicants have also clarified the meaning of first data type and second data type in amended claim 1 as suggested by the Examiner. Regarding the first and second data types, Applicants point out that the specification provides:

“A method of presenting data for a software component on a wireless device 120 that takes advantage of a reduction in the amount of data transmitted between the wireless device 120 and the data service provider 110 is shown in the flow chart of FIG. 3. In particular, in step 310 data is accessed using the wireless device 120. Step 310 may comprise, for example, a user initiating a request for the weather report 200 shown in FIG. 2. To present the weather report 200 to the user, data must be provided by the data service provider 110 to the wireless device 120. This data can be divided into a first type and a second type as described below.” (See application paragraph 45.)

“In step 320, the wireless device 120 (or application running on the wireless device 120) and/or the data service provider 110 identifies a first data type and a second data type used by the wireless device 120 to present the requested information. *The first data type comprises data that must be retrieved from the data service provider 110.* As an example, the first data type may comprise needed status/update information (e.g., the weather conditions for a given day). *The second data type comprises necessary data that has already be retrieved by the wireless device 120, or that is otherwise present on the wireless device 120.* As an example, the second data type may comprise application files, icons 210, etc. as previously described. It is further contemplated that the present embodiment may evaluate the first data type and re-categorize “current” status/update information as part of the second data type, as there is no need to update previously retrieved status/update information if the previously retrieved status/update information is already up to date. It is further contemplated that the first data type might include data

corresponding to "new" data. As an example, at 9:00 am there may be ninety new news stories. At 10:00 am there may be only fifteen additional news stories or news stories that have changed. Hence, at 9:00 am data corresponding to ninety news stories falls into the first data type, at 10:00 am only fifteen news stories fall into the first data type." (See application paragraph 46.) (Emphasis Added).

To this end, amended claim 1 recites, in part, "communicating with a service provider to identify a first data type used by the first software component, the first data type corresponding to data that must be retrieved from a service provider, wherein identifying the first data type comprises providing a list of data types available for the first software component from the service provider; and selecting a subset of the list of data available for the first software component, wherein the first data type comprises selected data and excludes un-selected data" and "identifying a second data type used by the first software component, the second data type corresponding to other data previously retrieved from the service provider by the portable device." Applicants submit that amended claim 1 is in compliance with 35 U.S.C. § 112, second paragraph.

By this supplemental Response, claim 1 has been amended and claims 8 and 15 have been cancelled. Applicants incorporate fully herein the arguments made in the Response filed on February 23, 2010 regarding the differences between the claimed common data and adding a plug-in to a web browser on a client to view content on a web page as described in Lowery.

Based on the foregoing, it is submitted that the Applicants' invention as defined by the claims is patentable over the references of record. Issuance of a Notice of Allowance is solicited.

Applicants' attorney welcomes the opportunity to discuss the case with the Examiner in the event that there are any questions or comments regarding the response or the application.

Respectfully submitted,
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